

see also

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL JAMES CAMPBELL,	:	CIVIL NO. 1:CV-00-0225
Plaintiff	:	
	:	
v.	:	(Judge Kane)
	:	
SUSQUEHANNA TOWNSHIP POLICE	:	(Magistrate Judge Smyser)
DEPARTMENT OFFICERS;	:	
JEFFREY VARGO, Ptlm.;	:	
MARTIN, Ptlm;	:	
OFFICER DAILEY;	:	
JOHN DOE, LT. HEWITT and	:	
SHUGAY, Public Defender,	:	
Defendants	:	

FILED
HARRISBURG, PA

JAN 16 2001

MARY E. D'ANDREA, CLERK
PER *[Signature]* DEPUTY CLERK

ORDER

The plaintiff commenced this civil action by filing a complaint on February 4, 2000. By an Order dated February 9, 2000, the plaintiff's request to proceed *in forma pauperis* was denied. Since the plaintiff is not proceeding *in forma pauperis* he is responsible for serving the complaint in this case on the defendants. There is no indication in the file that the plaintiff has served the defendants with the complaint.

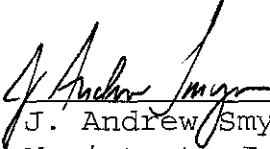
Rule 4(m) of the Federal Rules of Civil Procedure provides:

If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon

motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period. This subdivision does not apply to service in a foreign county pursuant to subdivision (f) or (j) (1).

More than 120 days have passed since the filing of the complaint and the defendants have not been served with process. Under such circumstances, the case may be dismissed pursuant to Fed.R.Civ.P. 4(m).

AND NOW, this 16th day of January, 2001, IT IS HEREBY ORDERED that on or before February 5, 2001 the plaintiff shall show cause why the complaint should not be dismissed pursuant to Rule 4(m). If the plaintiff does not show cause on or before February 5, 2001, it will be recommended by the magistrate judge to the district court judge that the complaint be dismissed pursuant to Rule 4(m).


J. Andrew Smyser
Magistrate Judge

Dated: January 16, 2001.

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

January 16, 2001

Re: 1:00-cv-00225 Campbell v. Susquehanna Townsh

True and correct copies of the attached were mailed by the clerk
to the following:

Michael James Campbell
RR4, Box 50 M, Apt. 9
Mifflintown, PA 17059

cc:	
Judge	()
Magistrate Judge	()
U.S. Marshal	()
Probation	()
U.S. Attorney	()
Atty. for Deft.	()
Defendant	()
Warden	()
Bureau of Prisons	()
Ct Reporter	()
Ctroom Deputy	()
Orig-Security	()
Federal Public Defender	()
Summons Issued	() with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()
Order to Show Cause	() with Petition attached & mailed certified mail to: US Atty Gen () PA Atty Gen () DA of County () Respondents ()
Bankruptcy Court	()
Other	()

MARY E. D'ANDREA, Clerk

DATE: 1-16-01

BY: 578
Deputy Clerk